



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,499	04/18/2001	Frank Becker		7890

7590

09/30/2003

WOOD, PHILLIPS, VANSANTEN,  
CLARK & MORTIMER  
500 W. Madison Street, Suite 3800  
Chicago, IL 60661

EXAMINER

LEE, EDMUND H

ART UNIT

PAPER NUMBER

1732

DATE MAILED: 09/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/837,499

Applicant(s)

BECKER ET AL.

Examiner

EDMUND H. LEE

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 1732

### DETAILED ACTION

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on 4/27/00. It is noted, however, that applicant has not filed a certified copy of the German 10021582.33-22 application as required by 35 U.S.C. 119(b).

2. The disclosure is objected to because of the following informalities: the numbers "0,0225" (pg 1, ln 17) and "0,0625" (pg 1, ln 18) should be rewritten as --0.0225-- and --0.0625--, respectively.

Appropriate correction is required.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Taylor (USPN 5817263). Taylor teaches the claimed process and apparatus as evident at col 3, lns 40-65; col 4, ln 42-col 5, ln 60; and figs 1-2.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor (USPN 5817263). The above teachings of Taylor are incorporated hereinafter.

Art Unit: 1732

Taylor teaches a connecting part of polymeric material however, Taylor does not teach a connecting part having on its inner surface a complete or partial groove or tongue which the compacted molded piece engages in or partially encloses; a connecting part having fasteners on its periphery for a detachable gastight connection to a respirator or fan filter unit or for a gastight connection to an adapter for connection to a respirator of a fan filter unit; a connection to an adapter that is detachable; fasteners that are designed for snap-in or threaded connection; and a connecting part made of a polymer with a higher melting point than the polymer of the molded piece, or of cardboard or metal.

In regard to a connecting part having on its inner surface a complete or partial groove or tongue which the compacted molded piece engages in or partially encloses, mechanical interlocking between a molding material and a preform is well-known in the molding art for its strength. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the claimed design into the connecting part of Taylor in order to strengthen the connection between the connecting part and the mixture. In regard to a connecting part having fasteners on its periphery for a detachable gastight connection to a respirator or fan filter unit or for a gastight connection to an adapter for connection to a respirator of a fan filter unit, it is well-known in the molding art to attach a preform to a shell or another component by fasteners. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include in the claimed design into the connecting part of Taylor in order to facilitate the attachment of the connecting part to shell or another component. In regard to a connection to an adapter that is detachable, such is well-known in the

Art Unit: 1732

filter art in order to facilitate the replacement of the filter. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the connection detachable in order to achieve the above result. In regard to fasteners that are designed for snap-in or threaded connection, such are well-known fastening means in the filter art. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the claimed design into the connecting part of Taylor in order to facilitate the attachment of the connecting part to another part. In regard to a connecting part made of a polymer with a higher melting point than the polymer of the molded piece, or of cardboard or metal, connecting parts made of the claimed material are well-known. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a connecting part of the claimed material in the apparatus of Taylor in order to produce a high-quality filter unit.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Braun et al (USPN 4790306) teach a filter unit having a connecting part with fasteners thereon. Both Klinkau (USPN 4490321) and Holmquist-Brown et al (USPN 6277178) teach the state of the art of filter molding.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is 703.305.4019. The examiner can normally be reached on MONDAY-THURSDAY FROM 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on 703.305.5493. The fax phone

Art Unit: 1732

number for the organization where this application or proceeding is assigned is (703)  
872-9306.

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the receptionist whose telephone number is  
703.308.0661.

  
EDMUND H. LEE  
Primary Examiner  
Art Unit 1732  
9/22/09

EHL